



BORDER 2012:

U.S.-MEXICO ENVIRONMENTAL PROGRAM





Pursuant to the 1983 Agreement on Cooperation for the Protection and Improvement of the Environment in the Border Area (La Paz Agreement), the Administrator of the U.S. Environmental Protection Agency (U.S. EPA) and the Secretary of the Secretariat for the Environment and Natural Resources (SEMARNAT) agreed on October 2001 to work jointly with the ten border states and the U.S. border tribes to develop a new bi-national ten year plan to improve the environment and reduce the highest public health risks on the U.S.-Mexico Border and

WHEREAS the Mission Statement of this plan is

To protect the environment and public health in the U.S.-Mexico border region, consistent with the principles of sustainable development.

THEREFORE On April 4, 2003, the representatives of the U.S. EPA, SEMARNAT, the ten border states, and the 26 US Tribes, met in Tijuana, Baja California, Mexico to recognize the completion of the **Border 2012: U.S.-Mexico Environmental Program**, to mark the beginning of the ten year joint effort, as described in the Border 2012 Program, by these Federal agencies, the states, municipalities, non governmental organizations, educational institutions and border residents to work together to improve the public health and environment on the U.S.- Mexico Border.

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The National Coordinators (EPA's Office of International Affairs and SEMARNAT's Office of International Affairs) express appreciation to the Ten Border States, the U.S. Border Tribes, the co-chairs and staff of the Border 2012 coordinating bodies, the EPA San Diego and El Paso Border Offices, the SEMARNAT and PROFEPA Border Delegations, the Western Governors Association, the Good Neighbor Environmental Board and SEMARNAT's Advisory Council for Sustainable Development whose support was essential to the completion of this document.

Special thanks to the members of the Border 2012 Drafting Committee.



**The Border 2012 program is
dedicated in memory of
Patrick Whelan
(1964 - 2003)**

During his eight years at the U.S. Environmental Protection Agency, Patrick's efforts tangibly improved the lives of residents along the U.S.-Mexico border.

He was a passionate steward of the environment whose personal and professional actions were guided by this commitment. Patrick's good humor and boundless energy were critical to the success of binational efforts to protect and improve the environment in the border region. He forged lasting friendships with partners based on a foundation of mutual trust, respect, and understanding. And he advanced international environmental cooperation in significant and enduring ways.

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MISSION STATEMENT

As a result of the partnership among federal, state and local, governments in the United States and Mexico, and with U.S. border tribes, the mission of the Border 2012 program is:

To protect the environment and public health in the U.S.-Mexico border region, consistent with the principles of sustainable development.¹

Big Bend National Park, Texas

*Natural Protected Area
Maderas del Carmen, Coahuila*

¹ In this program, sustainable development is defined as “conservation-oriented social and economic development that emphasizes the protection and sustainable use of resources, while addressing both current and future needs and present and future impacts of human actions.”

BORDER 2012 GUIDING PRINCIPLES

The following Guiding Principles are designed to support the mission statement, ensure consistency among all aspects of Border 2012, and continue successful elements of previous border programs.

- ✿ **Reduce the highest public health risks**, and preserve and restore the natural environment.
- ✿ **Adopt a bottom-up approach** for setting priorities and making decisions through partnerships with state, local and U.S. tribal governments.
- ✿ **Address disproportionate environmental impacts** in border communities.
- ✿ **Improve stakeholder participation** and ensure broad-based representation from the environmental, public health, and other relevant sectors.
- ✿ **Foster transparency, public participation, and open dialogue** through provision of accessible, accurate, and timely information.
- ✿ **Strengthen capacity** of local community residents and other stakeholders to manage environmental and environmentally-related public health issues.
- ✿ **Achieve concrete, measurable results** while maintaining a long-term vision.
- ✿ **Measure program progress** through development of environmental and public health-based indicators.
- ✿ The United States recognizes that U.S. tribes are separate sovereign governments, and that equity issues impacting tribal governments must be addressed in the United States on a government-to-government basis.
- ✿ Mexico recognizes the historical debt it has with its indigenous peoples. Therefore, appropriate measures will be considered to address their specific concerns, as well as to protect and preserve their cultural integrity within the broader environmental purposes of this program.

I. INTRODUCTION

The U.S.-Mexico border region is one of the most dynamic in the world. It extends more than 3,100 kilometers (2,000 miles) from the Gulf of Mexico to the Pacific Ocean, and 100 kilometers (62.5 miles) on each side of the international border.

The region includes large deserts, mountain ranges, rivers, wetlands, large estuaries, and shared aquifers. The region has various climates, a remarkable biological diversity including many rare and native species, and national parks and protected areas.



While its people share natural resources like water and air, the border region is characterized by many social, economic, and political contrasts

Ninety percent of the border population resides in 14 paired, inter-dependent sister cities. Over the last 20 years, population has grown rapidly in the border region to more than 11.8 million people. This figure is expected to reach 19.4 million by 2020. Rapid population growth in urban areas has resulted in unplanned development, greater demand for land and energy, increased traffic congestion, increased waste generation, overburdened or unavailable waste treatment and disposal facilities, and more frequent chemical emergencies. Residents in rural areas suffer from exposure to airborne dust, pesticide use and inadequate water supply and waste treatment facilities. Border residents also suffer disproportionately from many environmental health problems, including water-borne diseases and respiratory problems.

With the active participation of the ten border states and U.S. tribal governments, the U.S. Environmental Protection Agency (EPA) and Mexico's Secretariat of Environment and Natural Resources (SEMARNAT), in partnership with the U.S. Department of Health and Human Services (HHS), the Mexican Secretariat of Health (SS) and other federal agencies, have developed the Border 2012 program to protect the environment and the public's health in the U.S.-Mexico border region.

The ten-year Border 2012 program emphasizes a bottom-up, regional approach, anticipating that local decision-making, priority-setting, and project implementation will best address environmental issues in the border region. It brings together a wide variety of stakeholders to produce prioritized and sustained actions that consider the environmental needs of the different border communities.



San Diego, CA

The draft Border 2012 framework was revised to incorporate many of the recommendations and priority issues that were conveyed by border stakeholders in an effort to more effectively address environmental problems facing border communities.

The proposed Border 2012 Program was announced in September 2002 in Mexico at the meeting of the environmental authorities of the ten border states, and in the United States in the *Federal Register*. These announcements launched a 60-day comment period, during which EPA, SEMARNAT, the ten border states, and U.S. tribes engaged in an intensive public involvement process that included a combination of binational and domestic meetings in 27 cities along the U.S.-Mexico border. EPA and SEMARNAT also solicited input from interested community and stakeholder groups via additional meetings, internet exchanges, and written correspondence.

During the public comment period, more than 1,000 individual comments were received from border communities and other stakeholders representing industry, non-governmental organizations, academia, state, federal and local governments, and the general public. Based on these comments, the draft Border 2012 framework was revised to incorporate many of the recommendations and priority issues that were conveyed by border stakeholders in an effort to more effectively address environmental problems facing border communities. The *Border 2012 Response Summary Report* provides a detailed account of the comments received and how they were incorporated into the final document. In addition, program partners developed the *Border 2012 Operational Guidance* to assist partners, stakeholders and the general public to understand how the program is implemented.



The Border 2012 Framework Document, Response Summary Report, and Operational Guidance can be found at: www.epa.gov/usmexicoborder and www.semarnat.gob.mx/frontera2012 or by contacting EPA and SEMARNAT.

Implementation reports will be prepared every two years to review the status of activities under Border 2012. In addition, a five-year progress report will be released in 2007, and a final report on Border 2012 will be available in 2012.

All Border 2012 partners will disseminate information regarding their activities and project progress through web sites and/or list servers, local media and public meetings, and by participating in other public forums, including environmental fairs and environmental education programs.





II. BACKGROUND

The 1983 *Agreement on Cooperation for the Protection and Improvement of the Environment in the Border Area* (La Paz Agreement) was signed in La Paz, Baja California Sur, Mexico, and is the legal basis for the Border 2012 program. It empowers the federal environmental authorities in the United States and Mexico to undertake cooperative initiatives and is implemented through multi-year binational programs. EPA and SEMARNAT serve as National Coordinators for these programs.

Geography

The La Paz Agreement defines the U.S.-Mexico border region as extending more than 3,100 kilometers (approximately 2,000 miles) from the Gulf of Mexico to the Pacific Ocean, and 100 kilometers (approximately 62.5 miles) on either side of the border. The border region has a variety of climates, ranging from Mediterranean conditions in the San Diego-Tijuana area to desert lands in Arizona-Sonora, New Mexico-Chihuahua, and Texas. This climatic variety supports a remarkable biological diversity. Stark natural beauty and unique history can be appreciated within the region's many national parks and protected areas. The binational border region also contains multiple jurisdictions including ten states, local governments, and U.S. Tribes, and a complex legal framework.

Demography

Today, the border region is home to more than 11.8 million people, with approximately 6.3 million in the United States and 5.5 million in Mexico. Approximately 90 percent of the population resides in 14 paired sister cities, with the rest living in small towns or rural communities. There are 26 U.S. federally-recognized Native American tribes in the border region, which range in size from 9 to 17,000 members. Some of these tribes share extensive family and cultural ties to indigenous peoples in the border region of Mexico.

Rapid Population Growth

Projected population growth rates in the border region exceed anticipated national average growth rates (in some cases by more than 40percent) for each country. If current trends continue, the border population is expected to increase by 7.6 million people by 2020².

² Southwest Center for Environmental Research and Policy (SCERP) Monograph #1 "The U.S.-Mexican Border" (SDSU, 2000).

Mexican Indigenous Peoples in the Border Region

Pápagos

Kikapúes

Cochimí

Cucapá

Kiliwa

Kumiai

Pai Pai

(Source: Instituto Nacional Indigenista)

U.S. Tribes in the Border Region

Barona Band of Mission Indians

Campo Band of Mission Indians

Capitan Grande Band of Mission Indians

Cocopah Indian Tribe

Cuyapaipe Band of Mission Indians

Fort Yuma Quechan Tribe

Inaja-Cosmit Reservation

Jamul Indian Village

Kickapoo Traditional Tribe of Texas

La Jolla Band of Luiseno Indians

La Posta Band of Mission Indians

Los Coyotes Reservation

Manzanita Band of Mission Indians

Mesa Grande Band of Mission Indians

Pala Band of Mission Indians

Pascua Yaqui Tribe

Pauma Band of Mission Indians

Pechanga Band of Mission Indians

Rincon Band of Mission Indians

San Pasqual Band of Mission Indians

Santa Ysabel

Sycuan Band of Mission Indians

Tohono O'odham Nation

Torres-Martinez Desert Cahuilla Indian Nation

Viejas Band of Mission Indians

Ysleta del Sur Pueblo

Sister Cities on the U.S.-Mexico Border

San Diego – Tijuana

Calexico – Mexicali

Yuma – San Luis

Nogales – Nogales

Naco – Naco

Douglas – Agua Prieta

Columbus – Puerto Palomas

El Paso – Ciudad Juárez

Presidio – Ojinaga

Del Rio – Ciudad Acuña

Eagle Pass – Piedras Negras

Laredo – Nuevo Laredo

McAllen – Reynosa

Brownsville – Matamoros

Urban populations along the border have increased significantly over the past 20 years, due in part to the *maquiladora* program, begun in 1965, which provided economic incentives to foreign (mostly U.S.-owned) assembly plants located in the border region. The rate of industrial development increased further after the North American Free Trade Agreement (NAFTA)³, with about 1,700 plants operating in Mexico in 1990. By 2001, that figure had more than doubled to nearly 3,800 *maquiladora* plants, 2,700 of which were in the border states.

In Mexico, the border region has a very low unemployment rate and high wages compared to other regions of the country. While economic growth has contributed to employment, the region's infrastructure has not kept pace. As a result, natural resources are strained and the environment and public health are adversely affected on both sides of the border.

Environmental Degradation

Rapid population growth in urban areas has resulted in unplanned development, greater demand for land and energy, traffic congestion, increased waste generation, overburdened or unavailable waste treatment and disposal facilities, and increased frequency of chemical emergencies. Water quality, air quality, and natural resources also have been adversely impacted.

³ The North American Free Trade Agreement (NAFTA) removed most barriers to trade and investment among Canada, the United States and Mexico. In order to address environmental pressures that could be caused by increased trade and development associated with NAFTA, the parties created the North American Commission for Environmental Cooperation (CEC), the Border Environment Cooperation Commission (BECC) and the North American Development Bank (NADB). The CEC's goals are to focus on regional environmental concerns, help prevent potential trade and environmental conflicts, and promote environmental law enforcement. The BECC and NADBank were created to provide environmental infrastructure along the U.S.-Mexico border.

Rural communities along the border are confronted with a host of environmental problems, including illegal dumping, agricultural drainage, and degradation of natural resources and ecosystems.

Water is the most limited resource in this primarily arid region. Surface and groundwater resources are threatened by contamination, including agricultural runoff, industrial discharge, and untreated sewage. Increasing demand for water has led to the rapid depletion of aquifers. Inadequate water supply and inefficient use of water could limit future regional development.

Environmental Health Problems

As a result of regional environmental degradation, some border residents suffer from environmental health problems, including waterborne and respiratory diseases. These health problems can be related to air pollution, inadequate water and sewage treatment, or improper management of pesticides, and hazardous and solid wastes. The elderly and children are especially at risk. Tribal communities and residents of some unincorporated communities also are at greater risk, as they are more likely to have inadequate water supply and treatment systems.

Recognizing these environmental and public health problems, the United States and Mexico have agreed to act jointly to address them, consistent with principles of environmental protection, resource conservation and sustainable development.



III. A NEW APPROACH

Toward the end of the Border XXI Program (1996-2000) which preceded Border 2012, EPA and SEMARNAT held discussions with state and tribal governmental partners and local community stakeholders to explore ways to improve binational environmental planning efforts in the border region.

Border 2012 emphasizes a bottom-up approach, anticipating that local decision-making, priority-setting, and project implementation will best address environmental issues in the border region.

Based on this input, the ten-year Border 2012 program was created by EPA and SEMARNAT in partnership with other federal agencies including the U.S. Department of Health and Human Services and the Mexican Secretariat of Health, the ten border-state governments, and U.S. tribal governments. Border 2012 emphasizes a bottom-up approach, anticipating that local decision-making, priority-setting, and project implementation will best address environmental issues in the border region. Border 2012 has evolved from previous binational programs: the Integrated Border Environmental Plan and Border XXI.

Under Border XXI, nine workgroups focused on particular border-wide environmental issues, such as air quality or water quality. Border 2012 has four regionally-focused workgroups to facilitate active participation of local communities, local governmental agencies, and U.S. tribes. It also builds upon historic and current agreements of the International Boundary and Water Commission (IBWC), and on the work of NAFTA institutions such as the North American Commission for Environmental Cooperation (CEC), the Border Environment Cooperation Commission (BECC), and the North American Development Bank (NADB).

Although the management and preservation of natural resources are not directly addressed by Border 2012, the program is supplemented by other bilateral instruments and mechanisms. As such, appropriate actions are coordinated by authorities responsible for managing and protecting natural resources⁴.

⁴ In Mexico, these include SEMARNAT's National Commission for Natural Protected Areas and Director General for Wildlife, National Institute of Ecology, National Forest Commission, and Federal Attorney General for Environmental Protection. In the United States, these include the U.S. Department of the Interior and the U.S. Department of Agriculture.

IV. ACHIEVING RESULTS

Program goals and objectives were identified to meet the serious environmental and environmentally-related public health challenges in the border region. These objectives guide the implementation of all activities under Border 2012. Program partners work to meet these objectives and may support additional activities consistent with the overall mission and goals of the program.

A. Border 2012 Goals and Objectives

GOAL #1: REDUCE WATER CONTAMINATION

Under Border XXI, federal, state, and local institutions and agencies participated in border area efforts to improve water quality through the construction of infrastructure and development of pretreatment programs. Specifically, Mexico's National Water Commission (CNA) and EPA have provided funding and technical assistance for project planning and construction of infrastructure. The International Boundary and Water Commission (IBWC) also provided assistance and coordination in the development of infrastructure facilities.

Since 1995, the NAFTA-created institutions, the Border Environment Cooperation Commission (BECC) and the North American Development Bank (NADB), have had the primary role in working with communities to develop and construct infrastructure projects. BECC supports efforts to evaluate, plan, and implement financially and operationally sustainable water and wastewater projects; NADB helps project sponsors develop the appropriate financial package.

When the Border XXI Program began in 1996, only 88 percent of border households in Mexico had potable water service; 69 percent were connected to sewers; and 34 percent were on sewer systems that were connected to wastewater treatment facilities. Those numbers improved by the end of 2000 to 93, 75 and 75 percent, respectively. In addition, Border XXI supported efforts to monitor surface and sub-surface water quality in a number of key basins. A list of specific projects can be found on the BECC and NADB websites (www.cocof.org and www.nadbank.org). The following objectives build on these earlier efforts.





OBJECTIVE 1

By 2012, promote a 25 percent increase in the number of homes connected to potable water supply and wastewater collection and treatment systems.

For objective 1, the baseline is the annually cumulative number of full public water services, including potable water supply, distribution capacity, common sewers, and wastewater treatment capacity made available to residents.

OBJECTIVE 2

By 2012, assess significant shared and transboundary surface waters and achieve a majority of water quality standards currently being exceeded in those waters.

For objective 2, the baseline is the shared and transboundary surface waters as defined, identified and evaluated for the United States in the Clean Water Act §305(b) State reports and for Mexico by SEMARNAT. Objective 2 is measurable and is in conformance with the current regulatory systems of both governments for protection from surface pollutants of both point and non-point sources. There is no equivalent system for groundwater. Watershed controls other than the foregoing also are not available.

OBJECTIVE 3

By 2006, implement a monitoring system for evaluating coastal water quality at the international border beaches. By the end of 2006, establish a 2012 objective toward meeting coastal water quality standards of both countries.

For objective 3, the baseline will be established by the end of 2006 in accordance with federal or state standards that either exist or for which the Border 2012 program will support development. The current evaluation of coastal waters in the State of Veracruz could be considered for coastal areas within the limits established by the La Paz Agreement (i.e., Texas, Tamaulipas, California, and Baja California) if additional benefit obtained from objectives 1, 2, and 3 can be shown and resources identified to complete.

OBJECTIVE 4

By 2005, promote the assessment of water system conditions in 10 percent of the existing water systems in the border cities to identify opportunities for improvement in overall water system efficiencies.

For objective 4, the institutional capacity of water service providers, the lack of resources available to provide infrastructure, the cost of operation, and the pricing policies are

complex matters with social repercussions that directly affect the quality of services provided and prevent the agencies that operate and administer water in Mexico from being self-sufficient and sustainable. For objective 4, the baseline is the number of communities with public water systems.

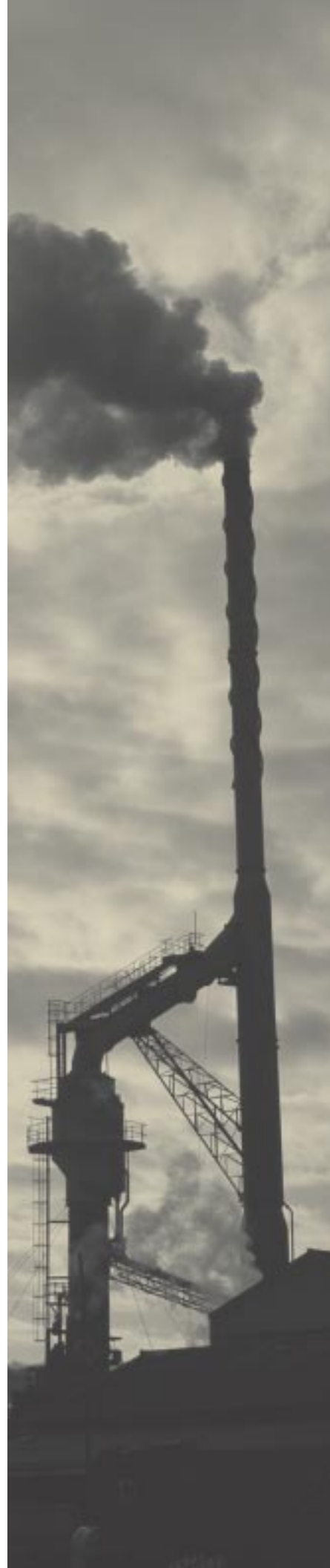
GOAL #2: REDUCE AIR POLLUTION

For the past 18 years, the United States and Mexico have collaborated to help safeguard the health of border residents by protecting and improving border air quality. The two governments, in partnership with border tribal, state, and local governments, have worked to increase the knowledge about pollution sources and their impacts on both sides of the border, establish monitoring networks in several key areas, conduct emissions inventories, and build local capacity through training. Through these efforts, the two countries have established a foundation for binational air quality planning and management programs. The overall program goals are to:

- determine ambient concentrations from pollutant emissions;
- assess contributing emission sources and their relative impacts; and
- develop and implement cost-effective control strategies.

Although substantial gains have been made, air quality is still a major concern throughout the border region. The pressures associated with industrial and population growth, the increase in the number of old vehicles, differences in governance and regulatory frameworks, and topographic and meteorologic conditions present a challenging context in which to address air quality management. These same factors also present many opportunities for binational cooperation.

Recognizing that pilot projects could spur the development of innovative and progressive air quality management approaches, the two governments announced the Border Air Quality Strategy (BAQS) in November 2002. The BAQS will build on existing efforts by helping to improve exchange of information and encouraging coordinated planning, management, and innovation. BAQS projects will help evaluate feasibility of coordinated airshed management and inform the work undertaken by the Border 2012 Regional Workgroups and border-wide Air Policy Forum.





Pollutants from a number of sources including motor vehicles, power plants and industrial facilities, agricultural operations, mining, dust from unpaved roads, and open burning of trash have affected urban and regional air quality along the U.S.-Mexico border. The most common and damaging pollutants from these sources include sulfur dioxide, suspended particulate matter (PM-10 and PM-2.5), nitrogen dioxide, ground-level ozone, and carbon monoxide.

OBJECTIVE 1

By 2012 or sooner, reduce air emissions as much as possible toward attainment of respective national ambient air quality standards, and reduce exposure in the border region, as supported by the following interim objectives:

INTERIM OBJECTIVE 1

By 2003, define baseline and alternative scenarios for emissions reductions along the border, and their impacts on air quality and human exposure.

INTERIM OBJECTIVE 2

By 2004, based on results from interim objective 1, define specific emission reductions strategies and air quality and exposure objectives to be achieved by 2012.

GOAL #3:

REDUCE LAND CONTAMINATION

Annex III of the La Paz Agreement establishes the importance of cooperation between the United States and Mexico on issues related to hazardous waste and hazardous substances in the border region. The Hazardous and Solid Waste Workgroup was active in the Border XXI program. The Workgroup assessed hazardous and solid waste problems in the border area, improved the monitoring of the trans-boundary movements of hazardous waste in the border region, identified the hazardous waste generators and management facilities in the region and established a system to notify its counterpart country of new facilities. The Border 2012 Policy Forum for Hazardous and Solid Waste will continue and expand these efforts with the following objectives:

OBJECTIVE 1

By 2004, identify needs and develop an action plan to improve institutional and infrastructure capacity for waste management and pollution prevention as they pertain to hazardous and solid waste and toxic sub-

stances along the U.S.-Mexico border. Starting in 2005, the plan will be implemented and concluded by 2012.

Waste “management capacity” (both institutional and in terms of infrastructure) means having the techniques, organizations, expertise and technology to effectively handle and dispose of waste. Where a lack of capacity is identified, the Border 2012 program will work to develop the needed capacity to ensure the appropriate management of waste.

OBJECTIVE 2 **By 2004, evaluate the hazardous waste tracking systems in the United States and Mexico. During the year 2006, develop and consolidate the link between both tracking systems.**

Currently, both the United States and Mexico have their own, separate computer systems for tracking the movement of hazardous waste across the border. If these systems were linked it would lead to a better exchange of information, and to a more complete and effective tracking of the movement of hazardous wastes across the U.S.-Mexico border.

OBJECTIVE 3 **By 2010, clean up three of the largest sites that contain abandoned waste tires in the U.S.-Mexico border region, based on policies and programs developed in partnership with local governments.**

Piles of scrap tires are an environmental problem because they pose a risk to health and the environment from emissions from tire fires, which are difficult to extinguish, and because they serve as breeding grounds for mosquitoes. The Border 2012 program intends to put the tires which are cleaned up to productive use, such as having them recycled or reused.

OBJECTIVE 4 **By 2004, develop a binational policy of clean-up and restoration resulting in the productive use of abandoned sites contaminated with hazardous waste or materials, along the length of the border, in accordance with the laws of each country. By 2007, apply this policy at least once in each of the four geographic regions.**

There are a number of contaminated sites in the border region that are of concern to both countries. Mexico and the United States will develop a policy on having sites cleaned up and restored to productive use. The policy also will identify priority sites in the border area.





GOAL #4: IMPROVE ENVIRONMENTAL HEALTH

Protection of public health is a key element of the Border 2012 program and it is an integral part of all program activities. Border environmental health efforts focus on reducing the risk to border families, especially children, that may result from exposure to air pollution, drinking water contaminants, pesticides and other toxic chemicals. If successful, there should be improvements in border health such as reductions in air-related respiratory diseases, decreases in water-borne illnesses and markedly fewer pesticide-related poisonings.

Environmental health efforts under Border 2012 improve capacity to conduct surveillance, monitoring, and research on the relationship between human health and environmental exposures; deliver environmental health intervention, prevention and educational services; and enhance public awareness and understanding of environmental exposure conditions and health problems. Program activities focus on strengthening data gathering (including the development/application of indicators to assess changes in specific human exposure and health conditions), training and education to build infrastructure; and provision of critical information to decisionmakers to achieve improved environmental health in the border region.

OBJECTIVE 1 (AIR): By 2006, evaluate various measures of respiratory health in children that might be tracked to assess changes that may result from actions to improve air quality in border communities.

OBJECTIVE 2 (WATER): By 2006, evaluate various measures of gastrointestinal illness that might be tracked to assess changes that may result from actions to improve water quality in border communities.

OBJECTIVE 3 (PESTICIDES):

OBJECTIVE 3A: By 2006, an assessment and pilot program will be completed that explores the feasibility of harmonizing a binational system for reporting acute pesticide poisonings.

OBJECTIVE 3B: By 2007, reduce pesticide exposure by training 36,000 farmworkers on pesticide risks and safe handling, including ways to minimize exposure for families and children.

OBJECTIVE 4 (CAPACITY BUILDING):

OBJECTIVE 4A: By 2006, establish a "distance-learning", post-graduate degree program to support advanced training on environmental health in conjunction with Pan American Health Organization regional offices and academic institutions.

OBJECTIVE 4B: By 2004, extend current efforts in binational environmental health training for 100 health care providers each for pesticides and water.

GOAL #5: REDUCE EXPOSURE TO CHEMICALS AS A RESULT OF ACCIDENTAL CHEMICAL RELEASES AND/OR ACTS OF TERRORISM

Annex II of the La Paz Agreement provided for the establishment of a Joint Response Team (JRT). The JRT includes representatives from all federal agencies responsible for chemical emergency prevention, preparedness, and response, as well as state and local officials. Annex II further required that the JRT develop a Joint Contingency Plan (JCP) that would establish cooperative measures for responding effectively to hazardous substance incidents along the border. The first JCP was completed in 1988. A revised version was completed and signed in June 1999.

Co-chaired in the United States by the EPA and in Mexico by the Federal Attorney General for Environmental Protection (PROFEPA), the JRT develops and implements policies and programs within the context of the JCP, including the diverse activities of emergency response planning, drills, conferences, and other training initiatives.

OBJECTIVE 1 By 2004, a chemical emergency advisory/notification mechanism between Mexico and the United States will be clearly established.

A notification mechanism was established as part of the 1999 United States-Mexico Joint Contingency Plan. However, it must be further revised, updated, and exercised in order to reflect changes in technology and protocol.

OBJECTIVE 2 By 2008, joint contingency plans for all 14 pairs of sister cities will be in place and operating (including exercises), with the establishment of binational committees for chemical emergency prevention (or similar border forums).





The concept of sister city contingency plans was established in 1983 by the JRT. Recognizing that chemical emergencies affect the local community first, JRT members agreed that subsequent planning efforts would be needed for the 28 sister cities – 14 in Mexico and the adjacent 14 in the United States – that could be affected by a major hazardous substance release. The sister city contingency plan program was created to meet that need.

As of January 1, 2003, 10 sister city plans have been completed, with the remaining sister city plans in various planning stages, and at least half of the sister cities with completed plans have conducted exercises.

OBJECTIVE 3

By 2012, 50 percent of sister city joint contingency plans will be supplemented with preparedness and prevention related efforts, such as risk and consequence analysis, risk reduction, and counter-terrorism.

With the completion of 10 sister city plans, the JRT is working to expand efforts into prevention. While some risk identification has been completed in the United States, including commodity flow studies and hazard analysis, the JRT is working on a more coordinated plan of action for risk identification and reduction in order to better protect border communities from chemical accidents.

GOAL #6:

IMPROVE ENVIRONMENTAL PERFORMANCE THROUGH COMPLIANCE, ENFORCEMENT, POLLUTION PREVENTION, AND PROMOTION OF ENVIRONMENTAL STEWARDSHIP

Previous Border XXI efforts in this area were handled by a variety of workgroups, with projects cutting across a variety sectors. Enforcement coordination focused on cooperation around specific enforcement cases as well as targeted training and information-sharing. Compliance assistance efforts consisted of seminars, workshops, training and dissemination of materials to help businesses understand and comply with environmental requirements. Pollution prevention efforts were led by a workgroup and resulted in increased exchange of information on technologies via workshops and training and multiple voluntary programs with measurable waste reductions from individual participants. Under Border 2012, border-wide efforts will rely upon regional enforcement task forces to continue these efforts to achieve the following objectives:

OBJECTIVE 1

By 2006, increase by 50 percent the number of industries along the U.S. - Mexico border implementing voluntary compliance and/or self-audits (such as the development of an Environmental Management System [EMS] or participation in voluntary assessment programs), using 2003 as a baseline year.

In order to achieve this objective, program partners will establish minimum requirements for inclusion in the baseline. Once established, the qualifying programs would be targeted for new or continued funding and coordination through regional efforts.

OBJECTIVE 2

By 2006, determine the pollution sources in the border area that present high risks to human health and the environment that are subject to regulation and set priorities for actions to lower the risk.

Program partners will identify priority sectors based on available data for their respective regions. Once identified, the appropriate enforcement Task Forces would propose and implement priority activities.

OBJECTIVE 3

By 2012, increase compliance in the priority areas determined in Objective 2 by assessing and responding to citizen complaints, compliance assistance, compliance incentives, compliance monitoring, and enforcement to reduce the risks from non-compliant facilities and encourage voluntary pollution prevention.

This represents a continuation and expansion of targeted efforts to address the areas of highest risk through a range of programs. Border 2012, through objectives 2 and 3, will improve priority-setting and encourage long-term planning for activities by regional and local officials.

B. Border 2012 Tools

To achieve these goals and objectives, Border 2012 uses a variety of tools. The following list of tools has been identified to underscore their importance, but it is not intended to be all-inclusive:

Pollution Prevention Techniques

Pollution prevention should be a key component of all environmental media programs (i.e., air, water, hazardous and solid waste). Pollution prevention techniques can include:





- *Capacity Building*: Identification of training needs and support for training efforts to address these needs. For example, training could be provided to industrial enterprises on efficient and cost-effective methods to reduce volatile organic compound (VOC) emissions from process operations.
- *Technical Assistance*: Site-specific technical assistance could be provided to conduct voluntary multi-media site assessments to identify cost-effective pollution prevention opportunities.
- *Environmental Stewardship*: Projects that promote good stewardship and responsibility, such as conducting and promoting EMS training for industry, governments, and others are encouraged.

Public Health Interventions

Mechanisms will be developed among federal, state, local and U.S. tribal agencies to reduce exposure to environmental contaminants and to alert residents to possible exposure. Examples include developing innovative health education techniques, providing community training and other environmental health outreach efforts.

Sustainable Management of Water Resources

Given the importance of water in the border region, water resources must be managed in a sustainable manner. Some tools available to promote this approach include analysis of the links between water quality and quantity, studies of groundwater availability, improved measurement of surface flows, removal of invasive species, and increased efficiency measures. In many cases, promotion of this approach requires coordination between organizations having complementary jurisdictions. For example, regulation of water quality is the responsibility of the respective national environmental agencies, EPA and SEMARNAT, while regulation of water quantity (i.e., source development and allocation of supplies) for certain transboundary rivers is the binational responsibility of IBWC. In the United States, source development falls under the Department of the Interior and allocation is done within the framework of state law. In Mexico, source development and allocation are overseen by the National Water Commission (CNA).

Environmental Information

Collection, management and exchange of environmental data are essential to effective environmental management. Some examples include harmonizing binational environmental protocols or information management systems (e.g., hazardous waste tracking systems) and developing effective data collection and information exchange mechanisms between Border 2012 partners and border stakeholders.

Regulation and Policy Development

Complex environmental problems sometimes require regulation and/or policy development. Examples include the development of domestic or binational policies to address used tire piles along the border (working with tire manufacturers and vendors) and the development or strengthening of regulations to improve wastewater reuse.

Cooperative Enforcement and Compliance Assistance

Effective enforcement and compliance assistance requires constant and sustained coordination among governmental agencies on both sides of the border. One important tool is capacity building to establish and implement effective enforcement and compliance programs. Examples include training of customs officials to spot suspect shipments of transboundary waste, and providing assistance to importers of hazardous waste to ensure compliance with federal and state waste management regulations.

Environmental Education and Training

Capacity building through environmental education and training is critical to long-term environmental protection. Environmental education programs and training efforts are integrated within the Border 2012 framework to foster greater community awareness and engagement on environmental issues at regional and local levels. Tools to accomplish this include development of primary and secondary school curriculum and training to increase understanding of environmental risks and issues at an early age; and provision of support and assistance from environmental education organizations to help develop and/or implement regional and/or border-wide environmental education strategies.

Infrastructure Planning and Development

Important environmental infrastructure projects can be advanced from the planning stages to full implementation by optimizing the use of resources from state, federal, and local agencies, and from BECC and NADB. More specifically, BECC and NADB support the management, development, and financing of environmental infrastructure projects under their existing programs. They also play a role in training Border 2012 participants and supporting program implementation.

Environmental education programs and training efforts are integrated within the Border 2012 framework to foster greater community awareness and engagement on environmental issues at regional and local levels.



V. REGIONAL ISSUES

During the development of the Border 2012 framework, border residents identified many regional issues of concern. An intensive public outreach process provided opportunities for residents of border communities to discuss local issues of importance from their own perspectives. Many activities under Border 2012 are implemented based on such input from local stakeholders.

There were many consistent themes received in the regional comments, such as the need to have clean water and air in border communities. There also were some uniquely regional concerns such as water deficiencies in the Colorado River Delta. A matrix summarizing these regional issues can be found in the *Border 2012 Response Summary Report*, along with responses to region-specific comments. Following are highlights of the environmental concerns identified by the public in each region.

CALIFORNIA-BAJA CALIFORNIA: Air quality, water supply and sanitation, hazardous waste management, and cross-border emergency response capability were among the issues identified in this region. Specifically, the public voiced air quality concerns regarding the proposed power plants in Mexicali, soil particles in the air from the Salton Sea, vehicle emissions and brick-kiln burnings in Tecate, as well as trash burning in many cities. Water quality issues raised by the public included the Salton Sea, and the Colorado River Basin, and often were related to new power plants, untreated sewage, and the presence of oil in water and drains.

ARIZONA-SONORA: Air quality problems stemming from dusty roads, vehicle emissions, wood burning, and border enforcement tire dragging were mentioned in this region. The water issues of concern to this region included lack of reservoirs, lack of wastewater treatment infrastructure, and water contamination from smelters. Land pollution problems mostly were associated with used tires and inadequate waste disposal.

NEW MEXICO-TEXAS-CHIHUAHUA: Residents pointed to the need for region-wide plans for air basins and watersheds, such as the Paso del Norte Air Basin, or in the Big Bend/Maderas del Carmen/Cañón de Santa Elena area. Other air quality problems focused on toxic gases, and dust from trucks in the Marfa/Presidio area. Water quality and quantity is of concern in the Ciudad Juárez-El Paso area, mostly due to the steady overdraft of the Hueco Bolson aquifer, and waste pollution in the Conchos and Rio Grande basins.

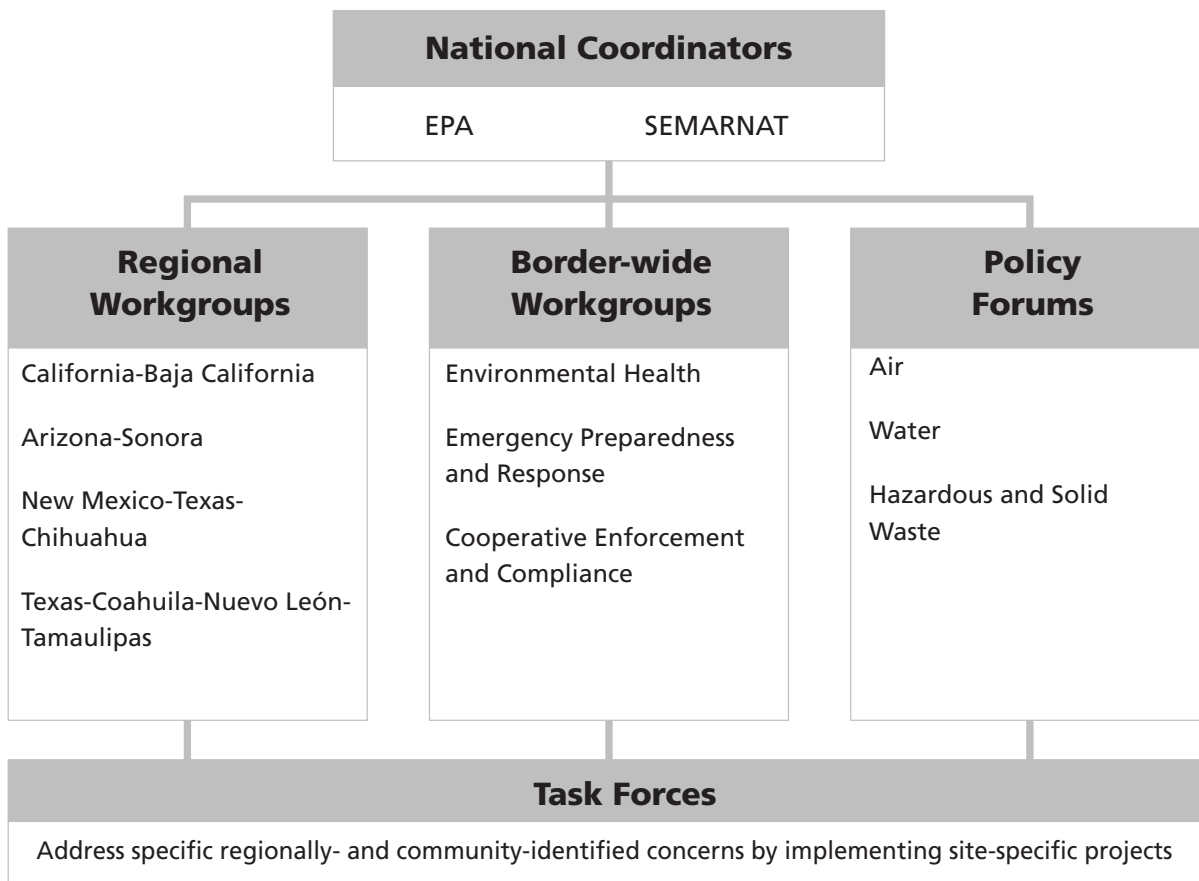
TEXAS-COAHUILA-NUEVO LEÓN-TAMAULIPAS: Issues of concern in this region included water supply, hazardous waste and hazardous materials management. Also, many comments were received which were related to the need for development of water and wastewater treatment infrastructure, as well as reduction of contamination by auto shops and from sugar cane burning.

VI. ORGANIZING FOR SUCCESS

EPA and SEMARNAT National Coordinators provide guidance and oversight for three types of *coordinating bodies* under Border 2012: Regional Workgroups, Border-wide Workgroups and Policy Forums, and for their respective Task Forces. Each of these bodies work on border issues bringing to bear their diverse but complementary perspectives, and they are described in detail below.

A. National Coordinators

Consistent with the terms of the La Paz Agreement, federal-level National Coordinators from the United States and Mexico, respectively, manage overall program implementation, and ensure cooperation, coordination and communication among all coordinating bodies. Although the coordinating bodies have autonomy, the National Coordinators ensure overall progress toward program



goals. They assist the coordinating bodies in maintaining focus on binational and transboundary environmental and public health issues consistent with the program's Guiding Principles.

Based on an assessment of needs, and with guidance from program partners, the National Coordinators may create additional coordinating bodies to address short- or long-term, solution-oriented initiatives (such as integration of data/information). The National Coordinators also ensure consideration of important cross-cutting issues that are not addressed by any formal coordinating body.

B. Regional Workgroups

Regional Workgroups are the foundation of Border 2012. They are *multi-media* and *geographically-focused*, and emphasize regional public health and environmental issues. They coordinate activities at the regional level and support the efforts of local Task Forces. Each Regional Workgroup has one state and one federal co-chair from each country.

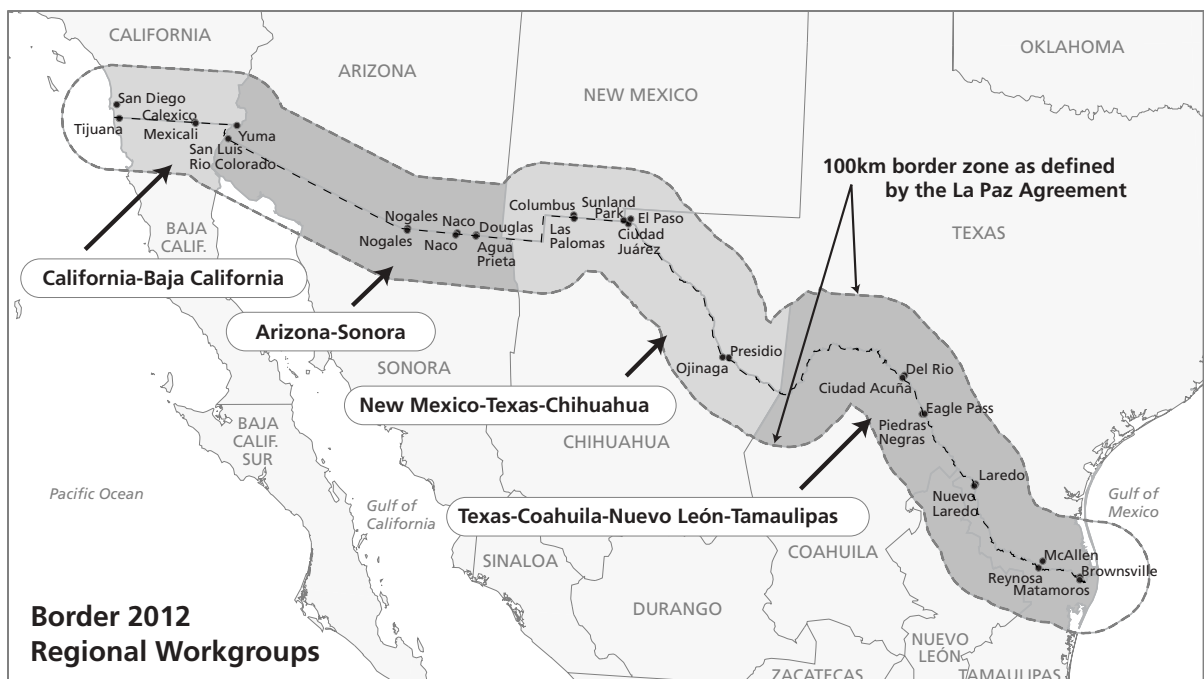
Four binational workgroups have been established in the following regions:

California-Baja California

Arizona-Sonora

New Mexico-Texas-Chihuahua

Texas-Coahuila-Nuevo León-Tamaulipas



In addition to general roles and responsibilities described in Section F (below), Regional Workgroups:

- Identify and prioritize regional environmental issues;
- Recommend issues beyond regional scope to be addressed by Border-wide Workgroups and/or Policy Forums; and
- Work with border-wide bodies to address those issues.

Regional Workgroups are broad-based and include representatives from local communities from both sides of the border, as well as from binational organizations such as BECC, NADB, IBWC, non-governmental and community-based organizations, academic institutions, and the private sector. In addition, Regional Workgroups include relevant federal, state, local, and tribal governments, including representatives from environment, health, natural resource, and emergency response agencies.

C. Border-wide Workgroups

Border-wide Workgroups concentrate on issues that are *multi-regional* (identified as a priority by two or more regional workgroups) and *primarily federal in nature* (requiring direct, high-level, and sustained leadership by federal program partners in the United States and Mexico). For example, cross-border emergency response requires the consistent application of a common protocol to ensure that effective actions are taken. Development and communication of this protocol is clearly a federal responsibility, confirming the need for a Border-wide Workgroup.

Each of the three Border-wide Workgroups have a federal co-chair from the United States and Mexico, respectively, and address the following topics:

Environmental Health

Emergency Preparedness and Response (Joint Response Team)

Cooperative Enforcement and Compliance

In addition to the general roles and responsibilities described in Section F, Border-wide Workgroups:

- Identify and prioritize border-wide/transboundary issues; and
- Implement programs and projects to address priority border-wide issues.

For example, the Border-wide Environmental Health Workgroup will provide technical assistance and data to Regional and other Border-wide Workgroups and Policy Forums to facilitate the implementation of regulatory, risk management and pollution prevention actions to protect public health and the environment.





Border-wide Workgroups have broad-based stakeholder participation and include non-governmental and community-based organizations, academic institutions, local, state, and tribal representatives, and binational organizations from both countries with expertise in the given workgroup's subject area. However, the confidential nature of enforcement investigations may require that some meetings of the Cooperative Enforcement and Compliance Workgroup will not be open to the public.

D. Policy Forums

Policy Forums have a *media-specific* focus and concentrate on *broad policy issues* that require an ongoing dialogue between both countries. Policy Forums are guided by the priorities of their respective nations and by the policy needs identified by Regional and Border-wide Workgroups. Policy Forums may elect to address policy issues through Task Forces and/or project-level efforts.

Each Policy Forum has a federal co-chair from the United States and Mexico. The co-chairs are located at EPA and SEMARNAT headquarters where they can most effectively influence national policy.

Three Policy Forums address policy issues and provide technical assistance to Regional and Border-wide Workgroups in the following areas:

Air

Water

Hazardous Waste and Solid Waste

In addition to the general roles and responsibilities described in Section F, the Policy Forums:

- Identify and prioritize border-wide, binational, federal policy issues;
- Address and resolve border-wide policy issues; and
- Target resources for regionally-based projects (emphasizing pollution prevention).

Policy Forums benefit from broad-based stakeholder input by including non-governmental and community-based organizations, academic institutions, local, state, and tribal representatives, and binational organizations from both countries with expertise in the given Policy Forum's subject area.

E. Task Forces

Border 2012 coordinating bodies may create Task Forces to address specific *regionally- and community-identified concerns*, to implement *site-specific projects*, or to address *issue-specific concerns*. Task Force leaders and participants will be selected based on the specific issue(s) or local initiative(s) to be addressed.

They will be as representational as possible, including interested local communities; relevant local, state, federal and tribal governments; binational organizations; non-governmental and community-based organizations; academic institutions; and the private sector as appropriate. However, regional enforcement Task Forces may not be as representative or open in their meetings due to the confidential nature of discussions of enforcement investigations.

F. Responsibilities of the Coordinating Bodies

In support of the Border 2012 Guiding Principles (see page 3), the coordinating bodies:

- Identify and build consensus on respective priorities;
- Identify Task Forces, including leadership;
- Ensure adequate representation of stakeholders in order to plan and implement projects;
- Develop budgets and identify potential funding sources for Task Force efforts;
- Support development of indicators given the availability of adequate resources;
- Collect data to monitor progress of activities;
- Leverage resources to achieve program goals;
- Meet a minimum of once per calendar year;
- Manage organizational and logistical aspects of meetings (e.g., develop agendas and schedules, secure meeting venues, provide translation services, etc.);
- Facilitate communication among coordinating bodies to avoid duplication of efforts; and
- Operate under guidance from and report on progress to the National Coordinators.

G. Providing Information to the Public

Border 2012 coordinating bodies facilitate stakeholder participation and encourage open dialogue. All meetings are held in communities within the U.S.-Mexico border region and will be open to the public. Meeting notice are provided at least 30 days in advance. Meeting locations alternate between the United States and Mexico and the meetings include simultaneous interpretation. Agendas and meeting results are provided in English and Spanish and are widely disseminated. However, as noted above, regional enforcement Task Forces may not be as open in their meetings due to the confidential nature of discussions of enforcement investigations.





To ensure transparency and foster information exchange, the coordinating bodies disseminate information regarding their activities and progress on specific projects by posting information to Web sites and list servers, through print media and public meetings, as well as by participating in environmental fairs and environmental education programs.

In addition, program partners have developed the *Border 2012 Operational Guidance* to assist partners, stakeholders and the general public to understand how the program is implemented.

H. Interagency Cooperation

Although Border 2012 is administered primarily by EPA, SEMARNAT, HHS, SS, the ten border states, and U.S. tribes, all program activities are selected and implemented by coordinating bodies with full consideration of relevant activities implemented by other institutions and the advice provided by the Good Neighbor Environmental Board (GNEB), SEMARNAT's Advisory Council for Sustainable Development (CCDS) and other organizations. These organizations represent a broad spectrum of programs and perspectives from governmental, non-governmental, academic, and private sectors. Representatives of these organizations participate actively in the work of Border 2012 coordinating bodies, and they provide valuable context for Border 2012 activities.

I. Funding Sources

Achievement of the goals of Border 2012 will depend on continued availability and efficient utilization of funding. Border 2012 coordinating bodies estimate on an ongoing basis the resources required and all potential sources of funding in order to meet program objectives. In addition, it is essential that all parties fully participate in developing the projects, policies and programs required to meet the objectives.

Funding from EPA and SEMARNAT is an important component of the overall budget for border activities. However, federal funding is allocated on an annual basis based on requests to the legislatures of each country and it is subject to executive approval. The percentage of the annual appropriations allocated for border activities is variable and cannot be estimated in advance.

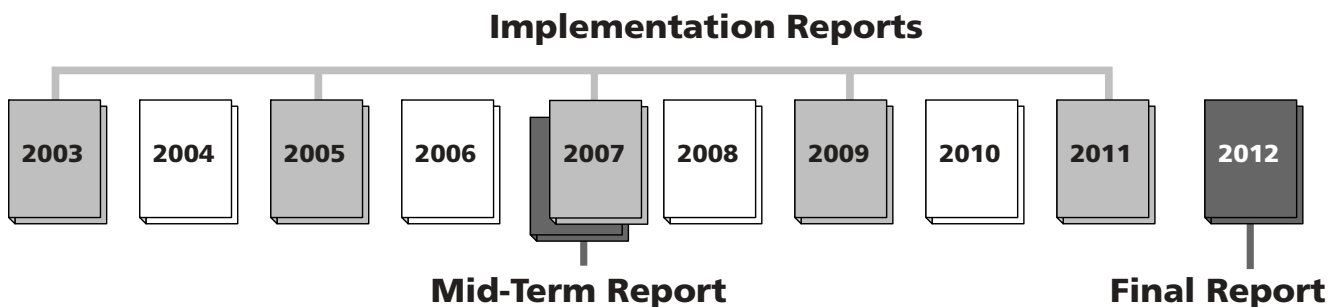
In addition to these federal sources, strategic investments from state and local governments and from the private sector are required as are bilateral and multi-lateral financing and lending from the NADB and the World Bank. All of these organizations offer a variety of grant and program funding and lending sources, and all offer opportunities for financial support for Border 2012 activities.

An important part of the development of cost estimates and identification of funding sources is when coordinating bodies appoint Task Forces. Task Forces develop project proposals and identify proposed funding sources. Coordinating bodies also develop open and competitive multi-year project funding mechanisms for Task Forces that take into account the need to utilize a wide-range of funding sources.

VII. REPORTING RESULTS

A. Implementation Reports

A report describing the status of current and proposed activities under Border 2012 will be prepared every two years, and will be made publicly available through internet postings and/or other available media.



B. Progress Reports

Comprehensive reports describing program progress on meeting the overarching goals and objectives of the Border 2012 program, including environmental indicators, will be available through internet postings and other available media. A mid-term progress report will be prepared in 2007, and a final report will be completed in 2012.

C. Indicators

To achieve Border 2012 goals and objectives, it is essential that all actions taken by the United States, Mexico, their respective border states, U.S. tribes and residents must have real, meaningful and measurable results. Indicators of environmental progress will be developed and used to measure these results.

Based on the valuable work done under Border XXI, environment and health indicators will measure progress being made toward Border 2012 goals and objectives. These indicators will have specific definitions and protocols for collection, analysis, interpretation and quality control. Border 2012 coordinating bodies will participate in the development of these indicators with support from the network of research universities in the border states. The National Coordinators will periodically review the indicators and report the result to the Workgroups, Forums and the public. The results will be used to help guide decisions about which efforts are effective and should be continued, and which should be redesigned or curtailed.

LIST OF ACRONYMS

BANDAN	<i>Banco para el Desarrollo de América del Norte</i> (see NADBank)
BECC	Border Environment Cooperation Commission (see COCEF)
CCA	<i>Comisión para la Cooperación Ambiental de América del Norte</i> (see CEC)
CCDS	<i>Consejo Consultivo para Desarrollo Sustentable</i>
CEC	North American Commission for Environmental Cooperation (see CCA)
CILA	<i>Comisión Internacional de Límites y Aguas</i> (see IBWC)
CIPAS	<i>Centro de Investigación y Política Ambiental del Suroeste</i>
CNA	<i>Comisión Nacional de Agua</i>
COCEF	<i>Comisión de Cooperación Ecológica Fronteriza</i> (see BECC)
EPA	U.S. Environmental Protection Agency
EMS	Environmental Management System
GNEB	Good Neighbor Environmental Board
HHS	U.S. Department of Health and Human Services
IBWC	International Boundary and Water Commission (see CILA)
NADB	North American Development Bank (see BANDAN)
NAFTA	North American Free Trade Agreement (see TLCAN)
PROFEPA	Mexico's Federal Attorney General for Environmental Protection
SCERP	Southwest Center for Environmental Research and Policy
SS	Mexico's Secretariat of Health
SEMARNAT	Mexico's Secretariat for the Environment and Natural Resources
TLCAN	<i>Tratado de Libre Comercio de America del Norte</i> (see NAFTA)

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The following contacts can provide information on environmental issues and activities in their respective states and regions.

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